

**TOWN OF SUMNER**  
**ORDINANCE 2019-0715B**

**CREATION OF EXTRATERRITORIAL ZONING COMMITTEE**

**STATE OF WISCONSIN**  
Town of Sumner  
Jefferson County

The Town Board of the Town of Sumner, Jefferson County, Wisconsin has general authority under Sects. 60.22 and 60.23 Wis. Stats. and specific authority under Sect. 62.23 (7a) (c) to adopt this ordinance.

This Ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, does ordain as follows:

**SECTION 1 – TITLE:** This Ordinance shall be known as Town of Sumner Ordinance 2019-0715B, Creation of Extraterritorial Zoning Committee.

**SECTION 2 - PURPOSE AND INTENT:** The purpose and intent of this ordinance is to protect the interests of the Town and its residents and property owners in the extraterritorial zoning jurisdiction of the City of Fort Atkinson.

**SECTION 3 – EXTRATERRITORIAL ZONING BY THE CITY OF FORT ATKINSON:** The historical action on the part of the City of Fort Atkinson related to this ordinance is as follows:

- A. The City of Fort Atkinson has created a City Plan Commission, adopted a zoning ordinance, and may exercise extraterritorial zoning power as set forth in Section 62.23(7a).
- B. The City of Fort Atkinson has adopted a resolution under Section 62.23(7a), and directed its Plan Commission to formulate recommendations for the District Plan and regulations within all or a part of the extraterritorial zoning jurisdiction as described in its resolution.
- C. The City of Fort Atkinson Plan Commission approved a resolution at the Joint City Council/Plan Commission meeting on March 19, 2019 to recommend the replacement 2019 Comprehensive Plan to the City Council for adoption.
- D. The Fort Atkinson City Council adopted the 2019 Comprehensive Plan by ordinance on March 19, 2019.

**SECTION 4 – TOWN OF SUMNER UNDER EXTRATERRITORIAL ZONING BY THE CITY OF FORT ATKINSON:** The status of the Town and the Town’s needed response related to actions of the City of Fort Atkinson is as follows:

- A. A significant portion of the Town of Sumner is contained within the jurisdictional boundaries for extraterritorial zoning by the City of Fort Atkinson.
- B. Wis. Stats. 62.23 (7a) (a) requires a certified copy of the City’s resolution to prepare a comprehensive zoning ordinance in its extraterritorial jurisdiction be mailed to the towns, including the Town of Sumner, within 15 days of adoption.
- C. The Town has 30 days following receipt of the City’s certified resolution to appoint a three-member Extraterritorial Zoning Committee, comprised of 3 town residents for terms of three years.
- D. The Town Committee shall work cooperatively with the Joint [City and Towns] Extraterritorial Zoning Committee and will vote on these matters as representatives of the Town of Sumner.

**SECTION 5 – TOWN APPOINTMENTS TO EXTRATERRITORIAL ZONING COMMITTEE:**

With this Ordinance, the Town of Sumner does hereby create an Extraterritorial Zoning Committee pursuant to Section 62.23(7a) (c). Said Extraterritorial Zoning Committee shall consist of three (3) town members appointed by the Town Board for three (3) year terms and shall be residents of the Town and persons of recognized experience and qualifications. Town Board members are eligible to serve. These three (3) appointed town members shall work cooperatively with City and other town’s representatives on the Joint Extraterritorial Zoning Committee.

**SECTION 6 - NONEXCLUSIVITY:** Adoption of this ordinance in no way precludes the adoption, existence, or use of any other Town ordinance providing for implementation of any law or ordinance relating to the same or other subject matter.

**SECTION 6 - SEVERABILITY:** The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town of Sumner would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

**EFFECTIVE DATE:** This ordinance will become effective upon passage and the day after publication in accordance with sect. 60.80 Wis. stats. Adopted this 15<sup>th</sup> day of July, 2019.

\_\_\_\_\_ John Dohner, Jr. Chairman

\_\_\_\_\_ Randall Burdick, Supervisor I

\_\_\_\_\_ Rosemary Olson, Supervisor II

ATTEST: \_\_\_\_\_ Glendan Rewoldt Clerk

Ayes: \_\_\_\_ Noes: \_\_\_\_ Absent: \_\_\_\_ Abstain: \_\_\_\_

Published: \_\_\_\_\_

Posted: \_\_\_\_\_

